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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/052,585	01/23/2002	Mark Webster Newman	PARC-DA1084	2571

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PARK, VAUGHAN & FLEMING LLP
2820 FIFTH STREET
DAVIS, CA 95618-7759

EXAMINER
VU, TRISHA U

ART UNIT	PAPER NUMBER
2112	

DATE MAILED: 10/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	10/052,585	NEWMAN ET AL.
Office Action Summary	Examiner	Art Unit
	Trisha Vu	2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _07 August 2006_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-28_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-28_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _23 January 2002_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This Office Action is responsive to Applicant's Request for Continued Examination

(RCE) filed 08-07-06.

2.   Claims 1-28 are presented for examination.

3.   Claims 1, 11 and 20 are independent claims.

4.   Claims 1, 11 and 20 are currently amended.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102
that form the basis for the rejections under this section made in this Office action:
A person shall be entitled to a patent unless --

> (e) the invention was described in a patent granted on an application for patent by another
> filed in the United States before the invention thereof by the applicant for patent, or on an
> international application by another who has fulfilled the requirements of paragraphs (1),
> (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for
> patent.

5.   Claims 1-28 are rejected under 35 U.S.C. § 102(e) as being anticipated by Provino et al.

(U.S. Patent 6,535,929, hereinafter Provino).

As for claims 1, 11 and 20, Provino teaches a system and a method comprising: a

plurality of devices (figure 1, 40, 42, 46, 34), wherein devices within the plurality of

devices communicate with incompatible protocols (different addressing modes) (see

abstract and col. 3 lines 53-67); a first device in the plurality of devices having a

universal contextual interface (see column 3 line 63 to column 4 line 4 and column 5

lines 23-34, wherein the universal communication comprising interface module 78), the

universal contextual interface associated with at least one instruction (see column 5 lines

23-67, wherein instructions are REGISTER, DEREGISTER, SEND, RECEIVE etc.) for

transferring contextual data associated with the first device (e.g. pertinent information

associated with the first device such as addressing mode (by interpreting system

parameters), application handle and application status, and additional application

information that is needed to post a communication message to the intended recipient

(col. 5 line 46 to col. 6 line 11 and col. 7 lines 22-45); and a second device in the plurality

of devices that invokes the universal contextual interface of the first device to execute the

at least one instruction to transfer the contextual data between the first device and at least

one of the plurality of devices (for transfer to other devices such as 42, 46, 34, see figure

1, column 5 lines 23-67 and column 4 lines 18-65), the plurality of devices having no

prior knowledge of each other (see abstract, wherein the devices such as 40, 42, 46, 34

allow two applications of dissimilar addressing mode to communicate with one another

without a priori knowledge of each other).

As for claims 2, 12 and 21, Provino teaches wherein the at least one of the

plurality of devices comprises the second device (see figure 1, 42, 46, 34 etc.).

As for claims 3, 13 and 22, Provino teaches wherein the first device sends a

context object to the second device to be used by the second device to transfer the

contextual data (see figure 1 and column 4 lines 18-37).

As for claim 4, Provino teaches wherein the second device receives a context

object from the first device to be used by the at least one of the plurality of devices for

receiving contextual data transmitted from the first device (see figure 1 and column 4 lines 18-37).

As for claims 5, 14 and 23, Provino teaches wherein the at least one of the plurality of devices uses the contextual data as a criteria to authorize the first device or the second device to access instructions, data or operations associated with the at least one of the plurality of devices (see column 5 lines 23-67).

As for claims 6, 15 and 24, Provino teaches wherein the universal contextual interface or a context object have source-specific, object-oriented mobile code that can be understood and performed by the at least one of the plurality of devices to receive contextual data (see column 10-12 Appendix).

As for claims 7, 16 and 25, Provino teaches wherein the plurality of devices comprise at least one device, at least one software application or at least one file (see column 3 lines 36-48).

As for claims 8, 17 and 26, Provino teaches wherein the first device further comprises a historical database having at least one record of data provided by the second device during invocation of the universal contextual interface (see figure 5, steps 210, 208, 214, wherein step 210 indicates history of application whether the application has previously registered).

As for claims 9, 18 and 27, Provino teaches wherein the second device invokes a universal notification interface to register the at least one of the plurality of devices to receive an event notification each time the contextual data changes (see column 5 lines 35-45).

As for claims 10, 19 and 28, Provino teaches wherein the contextual data comprises executable computer language instructions, or a type, operating status, identity, location, administrative domain or environment information of at least one of the plurality of devices (see column 6 lines 19-46).

Response to Arguments

6. Applicant's arguments filed 08/07/2006 have been fully considered but they are not persuasive.

In response to Applicant's arguments that "*the present invention describes a universal contextual interface associated a **specific device**... Hence, the universal contextual interface is **not** a common interface shared by multiple devices. In other words, the instant application requires a specific contextual interface for **each specific device**"* (pages 8-9 of the Remarks), first it is noted that the features upon which applicant relies (i.e., *the instant application requires a specific contextual interface for **each specific device***) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The claims read as follows:

> *- a first device in the plurality of devices having a universal contextual interface, the universal contextual interface associated with at least one instruction for **transferring contextual data associated with the first device*** (independent claim 1 and similarly in other independent claims).

Thus, the claim language requires no such **a specific contextual interface for each specific device**. All it requires is "the universal contextual interface associated with at least one instruction for transferring contextual data associated with the first device. Provino teaches the

universal contextual interface associated with at least one instruction (see column 5 lines 23-67, wherein instructions are REGISTER, DEREGISTER, SEND, RECEIVE etc.) for transferring contextual data associated with the first device (e.g. pertinent information associated with the first device such as addressing mode (by interpreting system parameters), application handle and application status, and additional application information that is needed to post a communication message to the intended recipient (col. 5 line 46 to col. 6 line 11 and col. 7 lines 22-45). Thus, these facts clearly anticipate what is claimed by Applicant.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trisha Vu whose telephone number is 571-272-3643. The examiner can normally be reached on Mon-Thur and alternate Fri 8:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rehana Perveen can be reached on 571-272-3676. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Trisha Vu
Examiner
Art Unit 2112

uv

Primary Examiner
AU 2112